



"The City With a Heart"

Larry Franzella, Mayor
Irene O'Connell, Vice Mayor
Rico E. Medina, Councilmember
Jim Ruane, Councilmember
Ken Ibarra, Councilmember

MINUTES

CITY COUNCIL REGULAR MEETING

April 22, 2008
7:00 p.m.

1. CALL TO ORDER: THIS IS TO CERTIFY THAT The San Bruno City Council met in regular session on April 22, 2008 at the San Bruno Senior Center, 1555 Crystal Springs Road. The meeting was called to order at 7:00 p.m.

Mayor Franzella thanked the San Bruno Garden Club for the beautiful flower arrangement.

2. ROLL CALL/PLEDGE OF ALLEGIANCE: Presiding was Mayor Franzella with Vice Mayor O'Connell and Councilmembers Ruane, Medina and Ibarra in attendance. Recording by Clerk Bonner. **Fire Chief Haag** led the Pledge of Allegiance.

3. ANNOUNCEMENTS:

a. **Mayor Franzella** announced the Annual Operation Clean Sweep Event will be held on Saturday, May 3 at 9:00 a.m. at San Bruno City Park and Vice Mayor O'Connell encouraged everyone to join in.

b. **Mayor Franzella** announced the Comment Period on the Draft General Plan Environmental Impact Report has been extended until May 16, 2008. The City Encourages All Interested Persons to Review the General Plan and EIR Available on the City's Website or through the San Bruno Public Library.

4. PRESENTATIONS: None.

5. REVIEW OF AGENDA: No changes.

6. APPROVAL OF MINUTES: Regular Council Meeting of April 8, 2008. **Vice Mayor O'Connell**, said she believed Mintz said the original cabinets were much larger than what they reconfigured to, but the reconfiguration is 4 feet by 5 feet by 2 feet, so she wanted people to know they were much bigger. In review of the CD of the meeting, the Clerk recorded what was said by Mintz and the minutes will remain unchanged. **M/S O'Connell/Medina** to approve, passed with all ayes.

7. CONSENT CALENDAR: All items listed are considered routine or implement an earlier Council action and may be enacted by one motion; there will be no separate discussion unless requested by a Councilmember, citizen or staff.

a. **Approve:** Payroll of April 4, 2008.

b. **Approve:** Accounts Payable of March 31 and April 7, 2008.

c. **Approve:** Investment Report for March 31, 2008.

c. **Waive:** Second Reading and Adopt Ordinance To Limit Commercial Vehicles for Hire or Advertised for Hire To Operate and Park On Established Street Routes By Amending Chapter 7.24, "Restricted Street Use," of Title 7 (Vehicles and Traffic) of the San Bruno Municipal Code.

d. **Accept:** Resignation from San Bruno Bicycle and Pedestrian Advisory Committee Member, Ernie Gomes, Declare a Boardmember Position Vacant and Direct the City Clerk to Initiate the Process for Appointment of a New Member.

e. **Approve:** Out of State Travel for Fire Marshall to Attend the International Association of Arson Investigators 59th Annual Training Conference in Denver, Colorado from April 27 - May 2, 2008.

Councilmember Ibarra pulled Item 7.e.

M/S O’Connell/Medina to approve remainder of Consent Calendar and passed with all ayes.

Councilmember Ibarra extended a thank you to Ernie Gomes for his work on the Committee and he wished him well in the future.

M/S Ibarra/Medina to approve Item 7.e. and passed with all ayes.

8. PUBLIC HEARINGS:

Hold Public Hearing, Waive First Reading and Introduce an Ordinance Temporarily Suspending Liability of Airport Parking Facilities for a Portion of the Airport Parking Facilities Tax Provided for by San Bruno Municipal Code 3.16.180.

Finance Director O’Leary gave an overview of Skypark’s request to extend the 5% airport tax for the year 2008. He reviewed Skypark’s partnership tax forms and the committee of **Mayor Franzella** and **Councilmember Ruane** determined there was a community benefit for a lower tax rate through 2008 but recommended the rate be adjusted to 5.5%.

Mayor Franzella opened the public hearing. No one wished to speak.

M/S Ruane/Ibarra to close the public hearing and passed with all ayes.

M/S Ruane/Ibarra to waive the first reading and passed with all ayes.

Councilmember Ruane introduced the ordinance for adoption and passed with a unanimous vote.

9. CONDUCT OF BUSINESS:

a. Receive Presentation on Quarterly Financial Report as of March 31, 2008 for the 2007-08 General Fund, Special Revenue Funds, and Enterprise Funds Budget.

Finance Director O’Leary gave an overview of the Quarterly Financial Report with a powerpoint presentation and asked for questions.

Councilmember Ibarra asked how significant of an increase are the business taxes? **O’Leary** stated slightly more than budgeted a year ago. He said he thought we would be like a million three by the end of the year. In response to **Ibarra’s** inquiry regarding the new theatres, **O’Leary** said numbers were not projected because there is no tax on admittance, just concession items.

Councilmember Medina said the storm water enterprise revenue showed a significant change. **O’Leary** said the storm water revenue primarily comes on the property tax payments and the second tax payments just received will boost it up. He said the City will receive grant money on vehicle registrations which will increase it also.

Councilmember Medina asked if the increase, opposed to last year, in expenditures for police, engineering, streets, planning and building was because of staff components or because there is more staff? **O’Leary** said that would be true for the police and engineering being more fully staffed. **Medina** asked about planning and building and **O’Leary** said the building side is more fully staffed.

Robert Riechel, 7th Ave. asked, if as a resident, he should be concerned about recoveries and one-time under revenue at 9% projected? **O’Leary** said the item for recoveries and one-time come from one-time reserves in order to balance the budget. Under Council direction, it is not transferred until the end of the year, if needed. There is also the payment of Redevelopment Agency interest, which is not posted yet.

b. Adopt Resolution Authorizing the City Manager to Execute a Construction Contract with St. Francis Electric Inc. for the San Bruno Avenue at Crestmoor Drive/Shelter Creek Lane Traffic Signal Project in the Amount of \$334,530, Authorizing Construction Budget in the Amount of \$368,000 and Reprogramming \$68,000 from the Streets Capital Fund to Fully Fund Project Construction.

Engineer Davis reviewed the staff report and asked for questions.

Councilmember Ibarra asked how long it would take for the construction. **Davis** said six to nine months.

Mayor Franzella said the last median strip should be included in this project. People have been waiting a long time for this and he suggested the information be published in FOCUS with a schedule from the contractor.

Councilmember Ibarra introduced the resolution for adoption and passed with a unanimous vote.

c. Adopt Resolution Requesting the Metropolitan Transportation Commission to Allocate Fiscal Year 2008-09 Transportation Development Act Article 3 Pedestrian/Bicycle Project Funding to the City of San Bruno for the Sneath Lane Bicycle Lane Between El Camino Real and Huntington Avenue Project and the San Bruno Segment of Countywide North-South Bicycle Route Project.

Management Analyst Shannon reviewed the staff report and asked for questions.

Councilmember Ibarra thanked staff and introduced the resolution for adoption and passed with a unanimous vote.

d. Receive Report on Use of Asphalt Zipper Machine and Pot Hole Repair.

Public Works Deputy Director Howard reviewed the staff report with a video background, which showed the Asphalt Zipper Machine and repair of the potholes and asked for questions.

Councilmember Medina asked the restrictions? **Howard** said budget constraints and asphaltting materials. **Medina** suggested this new device should be put in FOCUS so the citizens are aware.

e. Receive Report and Direct Staff to Implement Education and Enforcement Activities for the 2008 Fireworks Season.

Police Chief Telford and **Fire Chief Haag** outlined their plans for the upcoming 4th of July Firework Activities beginning June 28 through July 4. Their main goal is to educate.

Councilmember Medina asked, since July 4 is on a Friday this year, will there be adequate staffing? He also asked if the amount allocated for Public Works is an adequate amount to represent the clean up. **City Manager Jackson** said the figures were an estimate; however, whatever the costs, they are assessed to the booths. **Councilmember Ibarra** noted the figures were higher this year and asked why. **Telford** in response to **Medina** and **Ibarra** said some of the costs were attributed to increased salaries and added staffing for 4th of July and the Saturday after.

f. Adopt Resolution Establishing Penalty For Parking Violation of Section 7.20.010(B) of the San Bruno Municipal Code.

City Attorney Thompson gave an overview of the resolution setting a fine amount of \$100. with a delinquent fee of \$42.

Rose Urbach, Euclid Ave., discussed the eastside being ticketed when their cars aren't moved on street sweeping day and the westside not having to do the same.

John Berrelier, N. San Anselmo talked about the issues of the eastside of El Camino being ticketed vs. the westside not being ticketed and asked the City Attorney if this was legal.

Vice Mayor O'Connell adopted the resolution with a fine amount of \$100 with a delinquent fee of \$42 and passed with a unanimous vote.

g. Receive Report and Provide Direction to Staff Regarding Proposed Ordinance to Clarify San Bruno Municipal Code Subsection 12.44.140 Pertaining to Dedication of Land for Park and Recreational Purposes.

City Attorney Thompson gave an overview of the staff report, which explained the changes that made the ordinance confusing and asked for questions.

Mayor Franzella said it is a difficult subject to digest, but when he got to the end of it, the result and the fix made sense.

City Attorney Thompson clarified more sections of the ordinance. **Mayor Franzella** pointed out the land basis should not be evaluated on an acquisition from many years ago. He said something that triggers the cost. **Thompson** said if there was no recent acquisition an appraisal would be a method of establishing a price.

Councilmember Ibarra, referencing the staff report, said was either or considered on the improvements or the fee and at Merimont, were both done? **Thompson** concurred. She said our ordinance should reflect our actual practice that we do use a hybrid.

h. Receive Report and Provide Direction to Staff Regarding Proposed Ordinance to Regulate Holders of State Video Franchises Pursuant to the Digital Infrastructure and Video Competition Act of 2008.

City Attorney Thompson gave an overview of the staff report. She said only the State can issue franchises.

i. Adopt Resolution Authorizing the City Manager to Execute a Purchase and Sale Agreement, Resident Lease After Sale Agreement, and Other Related Documents for Acquisition of Property Located at 105 Cabrillo Way.

Finance Director O'Leary gave an overview of the City's home loan program and asked Council to adopt a resolution to purchase 105 Cabrillo Way.

Vice Mayor O'Connell introduced the resolution for adoption and passed with a unanimous vote.

10. PUBLIC COMMENT ON ITEMS NOT ON AGENDA:

Robert Riechel, 7th Ave. thanked staff for the handouts as well as the graphics on the screen.

John Berrelier, N. San Anselmo Ave., spoke about street sweeping and the tickets issued on the eastside of El Camino.

11. REPORT OF COMMISSIONS, BOARDS, & COMMITTEES: None.

12. COMMENTS FROM COUNCIL MEMBERS:

Mayor Franzella commented on the 39th Annual Progress Seminar sponsored by the Redwood City Chamber of Commerce on April 11 – 13th which he attended with Vice Mayor O’Connell, Councilmembers Medina and Ibarra and City Manager Jackson. There were a number of informative topics discussed.

Councilmember Ibarra shared the success of this year’s Youth in Government Program with Capuchino High School and the staff at City Hall. He said there would be a video to share soon.

Councilmember Medina asked if the City could move forward on security deposits for recreation facilities. He said since the master fee schedule was being updated, if this couldn’t be an added requirement that private parties who use our facilities are required to recycle during their event in order to receive full payment of their security deposit. Mayor Franzella asked him to bring it forward for consideration.

13. CLOSED SESSION: None.

14. ADJOURNMENT:

Mayor Franzella adjourned the meeting in a moment of silence in memory of Mal Lightfoot and Wally Everson. The next regular City Council Meeting will be held on May 13, at 7:00 pm, at the Senior Center, 1555 Crystal Springs Road, San Bruno.

Respectfully submitted for approval
at the regular City Council Meeting of
May 13, 2008

Carol Bonner, City Clerk

Larry Franzella, Mayor